

"THE SHIELD"

By

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It was a summer evening and a happy time for Jennifer Levin. She was 18 and infinite possibilities lay ahead. There would be college in the fall, a vacation with friends and of course there would be boys. One whom she really liked was Robert Chambers. He was there when she walked into Dorrian's Bar, packed as usual with the young people of New York's upper east side. She told her friend Alexandra that she thought Chambers "gorgeous". He was sophisticated in her eyes and stories she'd heard about him sounded like a real turn on. A few hours later, Jennifer left Dorrian's with Chambers. At seven o'clock the following morning, a woman jogger discovered Jennifer's body lying beneath a tree in Central Park. She had been strangled.

The newspapers named it the Preppie Murder and it caught the attention of the entire country. A police investigation soon found Chambers who claimed that he had "accidentally" killed Jennifer during rough sex. That she had done perverted things to him but evidence collected at the scene indicated it was a vicious, deliberate murder.

From the very first, Linda Wolfe, a prominent novelist and journalist, was moved by Jennifer's death. That she herself had a daughter of the same age only added to her revulsion. She questioned how such a tragedy could happen and her professional sense told her it was a story she would have to write. As she began however, she was unaware of how enmeshed she would become

and that the verdict itself might possibly depend on her.

Chambers' lawyer was a hard nosed, brilliant former district attorney. His name was Jack Litman and one of his major victories had been a case eerily like that of Chambers only in the earlier instance, the young woman was killed with a hammer. To many, Litman seemed like a bloodless hired gun whose only objective was to have his clients exonerated, no matter the means.

When Linda Wolfe came to see him in the course of her usual careful research, she found him a pleasant enough man and very cooperative. Linda had known of Litman from her daughter who had been a baby sitter for his child.

The defense lawyer's strategy was not all that new. It was to make Chambers the victim in that Jennifer was a dissolute and promiscuous young woman who had taken advantage of him. In reality, as Wolfe probed exhaustively into the murder, she found the exact opposite to be true. To even the equation, she interviewed Linda Fairstein, the assistant D.A., and from her heard the picture of Chambers as a ruthless sociopath, the very opposite of the innocent young man being portrayed by Litman. Wolfe's own investigation added to a devastating portrait of Chambers. He had been drinking since the age of ten and was an inveterate user of cocaine. He was also a liar and thief who had stolen in every school he had attended and a burglar who had even robbed his own mother. As for Jennifer, despite lapses Wolfe disapproved of as a parent, she saw the dead girl as a young

woman who had reached out in the flush of youth and whose innocence had betrayed her.

Wolfe probed every possible source as she compiled her notes, unaware of what was about to happen to her. She discovered things about Jennifer that not even her own divorced parents had known. Her friends instinctively opened their hearts and told her the most intimate secrets. It was information of the kind that a girl would only entrust to her diary and closest friends. Now that Wolfe shared it, she would be worthy of that trust until her book would appear long after the trial.

Wolfe's ordeal began on the first day of jury selection. Seated in court, she looked up to see Litman's hand summoning her to his side. Unsuspecting, since the few times they'd met had always been cordial, she moved over as he proffered a sheet of paper. Thinking it information he wanted her to have, she placed it in her pocket saying she'd read it later. She'd better read it now, Litman instructed. Surprised at his sharp tone, she glanced at it and saw the word, SUBPOENA. It ordered her to be in court the following morning at nine AM with all her notes for the book she was writing. After the initial shock, she told the lawyer that her daughter was being married in Washington only three days from then. Litman shrugged it off and directed that she bring the notes or face contempt.

Her immediate crisis was met as the publisher's attorney took the first step in what was to be an arduous, nail biting process. The case was set for an initial hearing. Many

lives would be involved in this new struggle for Litman had now confirmed his chief tactic. The victim was to be further victimized as an immoral young woman whose aggressive behavior had brought on her "accidental" death. If that cynical defense succeeded, a brutal murderer would go free and those who loved Jennifer would have to live with a shattered and despoiled memory.

Linda Wolfe's stake was equally vital. From the moment that Litman thrust the subpoena at her, she would not know a moment's rest. It was more than her sense of rage at the injustice. As she watched her daughter's wedding her mind was on the grief stricken parents standing at their own daughter's grave. There were also the friends and relatives who had confided in a reporter depending on her to defend a brutally murdered girl. It was almost more than Linda Wolfe could bear. Revealing her notes would betray not only Jennifer but her closest friends as well. She was determined to fight Litman's need to destroy the dead as well as hurt the living, even if it meant going to prison for contempt.

As an experienced criminal lawyer, Jack Litman had found a loophole in the "Shield" law of New York State. Similar to most states and based on the first amendment, it granted journalists who write for newspapers, magazines, wire services and television news shows protection from having to reveal their notes and sources. What Litman had uncovered was that the statute only gave the exemption to what it defined as "professional

journalists". Book authors, no matter how many works of investigative reporting they might have published, weren't considered professional journalists.

It was to be a precedent setting challenge and as the trial proceeded, Litman struggled desperately to get Wolfe's notes. He became more vitriolic and attacked her motives. The Chambers trial was now at a critical juncture and both sides knew the Linda Wolfe's information might very well tip the balance.

Insistent, she demanded that her lawyer call her to testify. Taking the stand, she told of the damage giving up the notes would do to the lives of families who had confided in her, perfectly innocent young people whose testimony would be twisted by Litman in order to destroy Jennifer Levin. Wolfe was eloquent in her defense of a free press and what it meant in discovering the truth. A few days later the Judge ruled for her right to protect her sources.

Since then, a bill has been introduced in the New York State Legislature to extend the Shield law to include book authors and as of this writing, other states are preparing similar laws. With Chambers' guilty plea, a landmark case achieved a second victory that will defend both the rights of innocent victims and those who fight on their behalf.